

# **EXHIBIT R**

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -  
7th & ALLEN EQUITIES, : Civil Action  
Plaintiff, : DOCKET NO.  
v. : 5:11-cv-01567  
HARTFORD CASUALTY :  
INSURANCE COMPANY, :  
Defendants.

- - -  
Tuesday, March 14, 2012  
- - -

Oral deposition of PATRICK ROELS  
taken pursuant to notice, was held at the  
Allentown City Hall, 435 West Hamilton  
Street, Allentown, Pennsylvania 18101,  
beginning at 10:40 a.m., on the above  
date, before Constance S. Kent, a  
Registered Professional Reporter and  
Notary Public in and for the Commonwealth  
of Pennsylvania.

\* \* \*

MAGNA LEGAL SERVICES  
(866) 624-6221  
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1 A P P E A R A N C E S :

2 KANCHER LAW FIRM, LLC  
3 BY: MARK S. KANCHER, ESQUIRE  
Grove Professional Center  
100 Grove Street  
4 Haddonfield, New Jersey 08033  
856.795.2440  
5 MKancher@KancherLawFirm.com  
Counsel for Plaintiff

6 GIBBONS, PC  
7 BY: THOMAS COLEMAN, ESQUIRE  
1700 Two Logan Square, 17th Floor  
8 18th and Arch Streets  
Philadelphia, Pennsylvania 19103  
9 215.665.0400  
Counsel for Defendant Hartford

10 CITY OF ALLENTEWON  
11 BY: DALE R. WILES, ESQUIRE  
Assistant City Solicitor  
12 435 West Hamilton Street  
Suite 519  
13 Allentown, Pennsylvania 18101  
610.437.7545  
14 wilesd@allentowncity.org  
Counsel for City of Allentown

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Page 3

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I N D E X  
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3 Testimony of: PATRICK ROELS

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By Mr. Coleman

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By Mr. Kancher

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E X H I B I T S

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9 NO. DESCRIPTION PAGE

10 Roels-1 Unfit for Human Habitation  
Notice, dated July 8, 2009,  
Bates Allentown 0046  
through 0047

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DEPOSITION SUPPORT INDEX

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5 Direction to Witness Not to Answer

6 Page Line        Page Line        Page Line

7 None

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9

10 Request for Production of Documents

11 Page Line        Page Line        Page Line

12 None

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15 Stipulations

16 Page Line        Page Line        Page Line

17 None

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20 Question Marked

21 Page Line        Page Line        Page Line

22 None

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8                           PATRICK ROELS, having been  
9                           first duly sworn, was examined and  
10                          testified as follows:

11 — — —

12 EXAMINATION

13 — — —

14 BY MR. COLEMAN:

15 Q. Good morning, Mr. Roels. As  
16 you know, my name is Thomas Coleman and  
17 I'm representing Hartford Casualty  
18 Insurance Company here today. We have  
19 subpoenaed you here today and you're  
20 being represented by a city solicitor  
21 sitting to your right; is that correct,  
22 sir?

23 A. Yes.

24 O. Could you please state your

Page 21

1 coming through the ceiling. Moldy water  
2 was dripping through the ceiling and it  
3 was in the ceiling tiles.

4 Q. Were you able to perform any  
5 further inspection of the cause of the  
6 water that was entering the first floor?

7 A. Chris said there was no  
8 access to upstairs. The woman -- I'm  
9 trying to remember. She didn't want to  
10 get involved. She had something going on  
11 with her health and she was unable to --  
12 she didn't want to be bothered anymore,  
13 she just wanted to leave.

14 Q. To the best of your  
15 recollection, do you have any other  
16 memory as to what happened in connection  
17 with that particular incident or  
18 complaint?

19 A. No, but I believe at the  
20 time I said, I'm going to keep my eye on  
21 this because we were doing the whole 7th  
22 Street corridor and systematic inspection  
23 and whatnot.

24 Q. And you said keep your eye

Page 22

1 on this, you mean the building in  
2 particular?

3 A. Yes.

4 Q. Okay. And why -- why did  
5 you think you needed to keep your eye on  
6 the building?

7 A. She was crying, she was  
8 hysterical. I spent time with this woman  
9 and she was definitely sick, physically.  
10 She blamed it all on this episode.

11 Q. Were you able to do any  
12 further inspection of this particular  
13 episode?

14 A. Not that I'm aware of.

15 Q. What's your next  
16 recollection of attention being called to  
17 this building -- your attention being  
18 called to this building?

19 A. Looking at my notes, that  
20 was November '07. Apparently my next  
21 entry is April of '08. Okay.

22 "April of '08. Rite Aid  
23 gets plans and permits to remodel this  
24 portion of the store possibly as a result

# EXHIBIT S

**7<sup>th</sup> and ALLEN EQUITIES, LLC**

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**3000 ATRIUM WAY  
SUITE 219  
MOUNT LAUREL, NJ 08054  
(856) 273-6917 (856) 727-3559 facsimile**

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**VIA CERTIFIED MAIL**

January 20, 2010

Carmen Dragotta  
Housing Supervisor  
Bureau of Building Standards and Safety  
City of Allentown  
641 S. 10<sup>th</sup> Street  
Allentown, PA 18103-3173

Re: 602-618 N. 7<sup>th</sup> Street, Allentown, PA

With regard to the above noted property, we are planning to tear down the building. The plans are not complete at this time. I am traveling this week and will be in touch with you next week.

Very truly yours,

*Dictated But Not Read by George M. Diemer*

George M. Diemer  
7<sup>th</sup> and Allen Equities, LLC